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US v. Soto-Rivera

January 22, 2016

Sentencing, Criminal Law & Procedure

(United States First Circuit) - After pleading guilty to illegally possessing a firearm and ammunition, defendant's sentencing as a Career Offender because he committed a crime of violence as defined by U.S.S.G., is vacated where being a felon in possession of a firearm in violation of 18 U.S.C. section 922(g)(1) is not a crime of violence under the Career Offender provisions in U.S.S.G. section 4B1.2(a).

Carrasquillo-Ortiz v. American Airlines, Inc.

January 22, 2016

Transportation, Labor & Employment Law

(United States First Circuit) - In a suit concerns the proper application of an aspect of Article 3 of Puerto Rico's Law No. 80 involving the statutory severance, called a "mesada," paid by companies with multiple offices to their employees in Puerto Rico who are terminated as part of a downsizing or restructuring, the district court's ruling in favor of airline employer is suspended pending the answer to a question certified to the Puerto Rico Supreme Court for guidance about relevant Puerto Rico law.

US v. Collins

January 22, 2016

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Sentence and conviction for possession with intent to distribute cocaine base, in violation of 21 U.S.C. section 841(a)(1), is affirmed where: 1) the District Court properly denied defendant's pre-trial motion to suppress evidence; and 2) a career offender enhancement was not erroneously applied to defendant's 200-month sentence.